

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)



In Re:

JOHN DELGADO, AND KATHY A. DELGADO  
Debtors.

Case No.: 14-31677 (SLM)

Chapter: 13

Hearing Date: September 13, 2017

Judge: Stacey L. Meisel

JOHN DELGADO, AND KATHY A. DELGADO  
Plaintiffs.

v.  
RUSSELL KELLEY, AND KAREN KELLEY  
Defendants.

**Order Filed on September 22,  
2017 by Clerk, U.S. Bankruptcy  
Court - District of New Jersey**

Adv. No.: 16-01051(SLM)

RUSSELL KELLEY, AND KAREN KELLEY  
Third Party Plaintiff.

v.  
SPECIAL TREATS, LLC, JOHN DOES 1-100, AND  
ABC CORP. 1-100  
Third Party Defendants.

**ORDER DENYING MOTION WITHOUT PREJUDICE**

The relief set forth on the following pages, numbered two (2) through (2) is  
**ORDERED.**

**DATED: September 22, 2017**

A handwritten signature in cursive script that reads "Stacey L. Meisel".  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

Page 2 of 2

Debtor: John Delgado and Kathy A. Delgado  
Case No.: 14-31677 (SLM)  
Caption of Order: Order Denying Motion Without Prejudice

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**THIS MATTER** having been brought before the Court on a Motion to Enforce Settlement Agreement and Authorize Recording of the Lien (Docket No. 63) (“**Motion**”) by Russell and Karen Kelley, this Court finds:

**WHEREAS** the Motion is deficient for the following reason(s):

- ☐ **Failure to use required Local Forms.** *See* D.N.J. LBR 9009-1.
- ☐ **Failure to follow the requirements of Local Rule 9013-1, specifically:**
  - ☐ **Failure to submit a notice of motion stating the date, time, and place of the hearing.** *See* D.N.J. LBR 9013-1(a)(1).
  - ☐ **Failure to submit a certification containing the facts supporting the relief requested in compliance with D.N.J. LBR 7007-1.** *See* D.N.J. LBR 9013-1(a)(2).
  - ☐ **Failure to submit a memorandum of law stating the legal basis for the relief requested, or a statement why a memorandum of law is unnecessary.** *See* D.N.J. LBR 9013-1(a)(3).
  - ☐ **Failure to submit a proposed form of order.** *See* D.N.J. LBR 9013-4.
  - ☐ **Failure to file a certification of service.** *See* D.N.J. LBR 9013-1(a)(5) and Local Form.
- ☒ **Failure to effectuate proper service.** *See* D.N.J. LBR 5005-1, Fed. R. Bankr. P. 9014, and Fed. R. Bankr. P. 7004 as well as the Register of Governmental Units available on the Court’s website.
- ☒ **Other:** Although movant served debtor’s counsel, movant failed to serve debtor.

It is hereby

**ORDERED** that the Motion is DENIED, without prejudice.